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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTORINO VILLAMARIN BLANCADA,

Defendant.

CASE NO. CR S 96-0148 WBS

MOTION TO DISMISS INDICTMENT WITHOUT
PREJUDICE AND RECALL ARREST WARRANT;
[PROPOSED] ORDER

An indictment was filed in this matter on April 5, 1996, charging the above-referenced defendant with violations of Title 18, United States Code §§ 1341 and 2 [Mail Fraud and Aiding and Abetting]. (Docket, #1). An arrest warrant issued on the indictment. (Docket, #14). In the more than fifteen years which have passed since the indictment issued, law enforcement has been unable to apprehend the defendant. Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America seeks the leave of this Honorable Court to dismiss the indictment without prejudice. This motion is based upon the passage of time, limitations of government resources, and the lack of indications the defendant will be apprehended. The United States also respectfully requests that the arrest warrant be recalled.

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1 Dated: July 24, 2013

BENJAMIN B. WAGNER
United States Attorney


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3 /s/ Philip A. Ferrari
4 PHILIP A. FERRARI
Assistant United States Attorney

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7 **ORDER**

8 The United States' motion to dismiss is GRANTED and the indictment (Docket, #1) is ordered
9 DISMISSED WITHOUT PREJUDICE. The arrest warrant (Docket, # 14) is RECALLED.

10 **SO ORDERED:**

11 Dated: July 24, 2013

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14 WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE